

**MINUTES OF THE VIRTUAL CONFERENCING MEETING**

Board of Cosmetology, Electrology, Esthetics, Nail Technology, and Body Art  
June 7, 2021

**1. ROLL CALL**

The conference call meeting of the Board of Cosmetology, Electrology, Esthetics, Nail Technology, and Body Art was called to order by the Chair, Bridget Anderson, at 10:34 a.m., at the Nebraska State Office Building, 301 Centennial Mall South, Lower Level Room A, Lincoln, Nebraska. In accordance with § 84-1411 of the Nebraska Open Meetings Act, copies of the agenda were 1) mailed to the Board members and other interested parties, and 2) posted on the DHHS web site at <https://dhhs.ne.gov/licensure/Pages/Agendas-and-Minutes.aspx> and on the bulletin board in the Licensure Unit Lobby on 5.26.2021.

**Members Present on call (9):**

The following members answered roll call:

Shannon Bingham, Member  
Matt Bavougian, Member  
Vicki Criswell, Member  
Jacqueline Hornig, Secretary  
Ruth Lucas, Member  
Marie Nordboe, Member  
Brandy Phillips, Member (in room)  
Pamela Rowland, Vice-Chair  
Harold "Buddy" Sims, Member

**Members Absent (2):**

Bridget Anderson, Chair (entered room at 10:40 am)  
Becky Pettigrew, Member

**Others Present:**

Kris Chiles, Program Manager, Licensure Unit (in Room)  
Natalee Hart, Assistant Attorney General (on call)  
Kate Manuel, DHHS Attorney (in room)

**Others Present on Call:**

Anna Harrison, DHHS Compliance Monitor  
1 public

A quorum was present and the meeting convened.

**2. ADOPTION OF AGENDA**

**MOTION:** Criswell moved, seconded Nordboe, to adopt the agenda. A voice vote was taken. Voting aye: Anderson, Bingham, Bavougian, Criswell, Hornig, Lucas, Nordboe, Phillips, Rowland, Sims (10). Voting nay: None (0). Absent: Pettigrew (1). Vacant positions (2). Motion carried.

**3. APPROVAL OF MINUTES – deferred**

**4. COVID-19: Executive Orders, Continuing Education, Re-Opens, and Press Releases**

<https://dhhs.ne.gov/licensure/Pages/Cosmetology-and-Esthetics.aspx>

The following information was shared:

- If you ask we will mask – salon theme
- Several members choose to wear masks during shampooing

**5. UPDATES/FOLLOW-UP:**

- a. 2021 Legislation (LB19, 83; others relating to the Board/Licensees)

- LB 19: Provides for a new definition of "nail technology" which includes natural nail care, defines "pedicuring," and allows for licensure of nail technology apprentice salons. Creates a license for "Temporary Body Art Facility" and "Body Art Guest Artist", and updates the definition for cosmetic tattooing. LB 607 also allows for all practices licensed under the Board of Cosmetology, Electrology, Esthetics, Nail Technology, and Body Art to take their respective licensing exam in multiple languages.

Rowland reported that LB 19 will be carried over to 2022

- **LB 83:** Introduced by Senator Michael Flood; Approved by Governor on 4.21.2021 with an emergency clause.

[https://nebraskalegislature.gov/bills/view\\_bill.php?DocumentID=44096](https://nebraskalegislature.gov/bills/view_bill.php?DocumentID=44096)

LB 83 amends the Open Meetings Act in Chapter 84, Article 14, to: 1) modernize the way public bodies hold virtual meetings; and 2) create the statutory framework for public bodies to hold virtual meetings during a declared emergency by the Governor, Mayor, Village Board Chair or County Board Chair. "Virtual conferencing" is defined as "conducting or participating in a meeting electronically or telephonically with interaction among the participants subject to subsection (2) of section 84-1412" which allows the public body to make and enforce reasonable rules and regulations regarding the conduct of persons attending, speaking, and recording at the virtual meeting. **Instead of using the terms videoconferencing and telephone conference calls, "virtual conferencing" is used to encompass both.**

Public meetings held by "virtual conferencing" are subject to similar requirements as those which now apply to videoconferencing and telephone conference calls, including: reasonable advance publicized notice, including access to a dial-in number or link to the virtual conference; in addition to participating virtually in the meeting, arrangements for at least one public site in a building open to the public for the public to participate; 1 copy of all documents for the meeting available at the physical site; links to an electronic copy of the agenda, documents being considered at the meeting and the current version of the Open Meetings Act; and except for certain entities, no more than one-half of the meetings of the state entities, advisory committees, boards, councils, organizations, or governing bodies are held by "virtual conferencing" in a calendar year.

The bill removes a provision in section 84-1411(6) that a member of the public body is not allowed to appear before the public body by means of "virtual conferencing. The intent of this change is to allow a member of the public body to appear by "virtual conferencing" but does not allow that member to be counted toward the quorum or participate as a member of the public body.

Section 84-1412(3) now will require any member of the public desiring to address the public body to identify himself or herself, including an address and the name of any organization represented by such person unless the address requirement is waived to protect the security of the individual.

- Jurisprudence Examination Re-Write – discussion deferred
- License Statistics: Summary provided as part of agenda.

Public member (Dylan Dortch) addressed the board and indicated he had is life back on track and ready to have his license reinstated.

## **6. INVESTIGATIONAL & CONFIDENTIAL INFORMATION/REPORTS – CLOSED SESSION**

**MOTION:** Criswell moved, seconded by Nordboe, to enter into closed session at 11:02 a.m. for the purpose of hearing discussions of an investigative/confidential nature and for the prevention of needless injury to the reputation of the individuals. Anderson repeated the motion and purpose. A roll call vote was taken. Voting aye: Anderson, Bingham, Bavougian, Criswell, Hornig, Lucas, Nordboe, Phillips, Rowland, Sims (10). Voting nay: None (0). Absent: Pettigrew (1). Vacant positions (2). Motion carried.

11:02 a.m.      Dortch and Natalie exited the call  
 11:17 a.m.      Manual exited the room  
 11:17 a.m.      Hart returned to the call

12:08 p.m.      Hornig recused and exited the call  
12:11 p.m.      Hornig returned to the call

## **7. APPLICATION REVIEW, RECOMMENDATIONS AND REPORT OUT – OPEN SESSION**

12:38 p.m.      Verbal agreement from all board members to enter into open session; Hart entered the meeting room

### **Reinstatement – following suspension**

#### **Dylan Dortch: Cosmetologist**

**MOTION:** Bavougian moved, seconded by Criswell, to defer and request additional information. A roll call vote was taken. Voting aye: Anderson, Bingham, Bavougian, Criswell, Hornig, Lucas, Nordboe, Phillips, Rowland, Sims (10). Voting nay: None (0). Absent: Pettigrew (1). Vacant positions (2). Motion carried.

### **Conviction Reviews**

#### **Aundrea Grundmann: Cosmetologist - Initial**

**MOTION:** Criswell moved, seconded by Lucas, to defer and request additional information. A roll call vote was taken. Voting aye: Anderson, Bingham, Bavougian, Criswell, Hornig, Lucas, Nordboe, Phillips, Rowland, Sims (10). Voting nay: None (0). Absent: Pettigrew (1). Vacant positions (2). Motion carried.

#### **Mallory Pofahl: Esthetician and Permanent Color Technician- Initial**

**MOTION:** Criswell moved, seconded by Nordboe, to defer and request additional information. A roll call vote was taken. Voting aye: Anderson, Bingham, Bavougian, Criswell, Hornig, Lucas, Nordboe, Phillips, Rowland, Sims (10). Voting nay: None (0). Absent: Pettigrew (1). Vacant positions (2). Motion carried.

#### **Stina Vongphakdy: Esthetician - Initial**

**MOTION:** Criswell moved, seconded by Phillips, to defer and request additional information. A roll call vote was taken. Voting aye: Anderson, Bingham, Bavougian, Criswell, Hornig, Lucas, Nordboe, Phillips, Rowland, Sims (10). Voting nay: None (0). Absent: Pettigrew (1). Vacant positions (2). Motion carried.

#### **Quincy Hughes Jr: Tattoo Artist - Initial**

**MOTION:** Nordboe moved, seconded by Bingham, to defer and request additional information. A roll call vote was taken. Voting aye: Anderson, Bingham, Bavougian, Criswell, Hornig, Lucas, Nordboe, Phillips, Rowland, Sims (10). Voting nay: None (0). Absent: Pettigrew (1). Vacant positions (2). Motion carried.

#### **Ronald Mach: Tattoo Artist - Initial**

**MOTION:** Nordboe moved, seconded by Criswell, to the recommend a 6 month probation, with the following terms and conditions: Successfully complete the jurisprudence examination, and the Standard Terms and Conditions of probation. Basis: failure to report all convictions. A roll call vote was taken. Voting aye: Anderson, Bingham, Bavougian, Criswell, Hornig, Lucas, Nordboe, Phillips, Rowland, Sims (10). Voting nay: None (0). Absent: Pettigrew (1). Vacant positions (2). Motion carried.

#### **Amberli Borrink: Tattoo Artist - Initial**

**MOTION:** Criswell moved, seconded by Hornig, to defer and request additional information. A roll call vote was taken. Voting aye: Anderson, Bingham, Bavougian, Criswell, Hornig, Lucas, Nordboe, Phillips, Rowland, Sims (10). Voting nay: None (0). Absent: Pettigrew (1). Vacant positions (2). Motion carried.

#### **LeTasha Drake: Tattoo Artist, Body Piercer, Permanent Color Technician- Initial**

**MOTION:** Simms moved, seconded by Lucas, to recommend issuance with no terms and conditions. A roll call vote was taken. Voting aye: Anderson, Bingham, Bavougian, Criswell, Hornig, Lucas, Nordboe, Phillips, Rowland, Sims (10). Voting nay: None (0). Absent: Pettigrew (1). Vacant positions (2). Motion carried.

**LaShana Gray: Cosmetologist - Reinstatement**

**MOTION:** Bavougian moved, seconded by Criswell, to defer and request additional information. A roll call vote was taken. Voting aye: Anderson, Bingham, Bavougian, Criswell, Hornig, Lucas, Nordboe, Phillips, Rowland, Sims (10). Voting nay: None (0). Absent: Pettigrew (1). Vacant positions (2). Motion carried.

**Alary Layman: Tattoo Artist - Initial**

**MOTION:** Nordboe moved, seconded by Rowland, to the recommend a 6 month probation, with the following terms and conditions: Successfully complete the jurisprudence examination, and the Standard Terms and Conditions of probation. Basis: failure to report all convictions. A roll call vote was taken. Voting aye: Anderson, Bingham, Bavougian, Criswell, Hornig, Lucas, Nordboe, Phillips, Rowland, Sims (10). Voting nay: None (0). Absent: Pettigrew (1). Vacant positions (2). Motion carried.

**Marissa Merck: Cosmetologist - Initial**

**MOTION:** Lucas moved, seconded by Nordboe, to recommend issuance with no terms and conditions. A roll call vote was taken. Voting aye: Anderson, Bingham, Bavougian, Criswell, Hornig, Lucas, Nordboe, Phillips, Rowland, Sims (10). Voting nay: None (0). Absent: Pettigrew (1). Vacant positions (2). Motion carried.

**Elisabeth Vacha: Cosmetologist - Initial**

**MOTION:** Nordboe moved, seconded by Criswell, to defer and request additional information. A roll call vote was taken. Voting aye: Anderson, Bingham, Bavougian, Criswell, Hornig, Lucas, Nordboe, Phillips, Rowland, Sims (10). Voting nay: None (0). Absent: Pettigrew (1). Vacant positions (2). Motion carried.

**Dawn Buffington: Cosmetologist - Initial**

**MOTION:** Phillips moved, seconded by Rowland, to the recommend a 6 month probation, with the following terms and conditions: Successfully complete the jurisprudence examination, and the Standard Terms and Conditions of probation. Basis: failure to report all convictions. A roll call vote was taken. Voting aye: Anderson, Bingham, Bavougian, Criswell, Hornig, Lucas, Nordboe, Phillips, Rowland, Sims (10). Voting nay: None (0). Absent: Pettigrew (1). Vacant positions (2). Motion carried.

**Meri Wolfrum (Crumm): Cosmetologist - Reinstatement**

**MOTION:** Lucas moved, seconded by Nordboe, to the recommend a 6 month probation, with the following terms and conditions: Successfully complete the jurisprudence examination, and the Standard Terms and Conditions of probation. Basis: failure to report all convictions. A roll call vote was taken. Voting aye: Anderson, Bingham, Bavougian, Criswell, Hornig, Lucas, Nordboe, Phillips, Rowland, Sims (10). Voting nay: None (0). Absent: Pettigrew (1). Vacant positions (2). Motion carried.

**Joni Zwiener: Cosmetologist - Reinstatement**

Will be reviewed upon receipt of the reinstatement application.

**8. ADJOURNMENT**

Anderson announced the next meeting is scheduled on 7.12.21 and declared the meeting adjourned at 1:05 p.m.

Submitted,

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Jackie Hornig, Secretary

Board of Cosmetology, Electrology, Esthetics, Nail Technology, and Body Art

Summarized by the Licensure Unit.